

REMARKS

Claims 1-5 remain in the application for reconsideration by the Examiner.

The Examiner rejected Claims 1-5 under 35 USC 102(b) as being anticipated by U.S. Patent No. 5,075,057 to Hoedl (Hoedl) and by U.S. Patent No. 5,565,158 to Sullivan et al. (Sullivan).

Applicant's process as set forth in Claim 1 is directed to a process for preparing an RPET polymer blend component. The process comprises the steps of:

- 1) providing a quantity of RPET particles having an average mean particle size from about 500 microns to about 5 microns;
- 2) adding a specialty additive to the RPET particles; and
- 3) mixing the RPET particles and specialty additive, to prepare a homogeneous blend of RPET carrier and specialty additive.

All of the remaining Claims 2-5 contain at least the same elements and limitations as Claim 1.

This inventive process allows for the highly concentrated addition of a specialty additive, such as for example a colorant, to a carrier polymer, to form a homogeneous mixture that may subsequently be diluted during ultimate use.

Hoedl discloses the manufacture of molded composites from scrap plastics. Hoedl is directed to the blending of multiple materials containing both thermosetting and thermoplastic materials that are shredded, not to improve the material's performance, but to make sure the admixture of the blend is relatively consistent. This admixture is then blended with a filler/reinforcement so as to be able to compression mold articles that are essentially isotropic. Hoedl does not teach or suggest RPET particles in the size range recited in Applicant's step 1. Nor does Hoedl teach mixing a specialty additive with RPET particles, as set forth in step 2. Thus, Hoedl cannot teach the preparation of a homogeneous blend of RPET particles and a specialty additive, as claimed in step 3.

By contrast, Applicant's invention is directed to adding a specialty material that is totally miscible with particles of RPET, to prepare a homogeneous mixture that can be further processed by, for example, blending with virgin or recycled PET at a specific dosage and thereby appropriately diluting it into the bulk material. The inventive process reduces the need for a manufacturer to add both a recycled material and a specialty material in separate steps.

Applicant's process prepares a material intended for use in other processes, for the further blending and processing of plastics. Hoedl's process only concerns the preparation of a material that is thereafter immediately compression molded into a final form.

Applicant respectfully submits that Hoedl does not disclose the claimed process. Accordingly, Applicant respectfully requests that the Examiner reconsider and withdraw the 35 USC 102(b) rejection of Claims 1-5 based upon Hoedl.

Sullivan discloses a process for recycling mixed polymer wastes. The process contemplates the mixing of incompatible polymers to form an agglomerate, which is then spun into fibers. Sullivan does not disclose the use of particles of RPET, having the size range set forth in the Claims, for addition with a compatible specialty additive, in order to provide a concentrated, homogeneous material for further admixing and processing.

Applicant respectfully submits that Sullivan does not anticipate the claimed process. Accordingly, Applicant respectfully requests that the Examiner reconsider and withdraw the 35 USC 102(b) rejection of Claims 1-5 based upon Sullivan.